<center>REMARKS</center>

The above Amendments and these Remarks are in reply to the Office Action mailed April 19, 2007.

Currently, claims 21-32 and 34-44 are pending. Applicants have amended claims 21, 31, 25, and 43. Applicants respectfully request reconsideration of claims 21-32 and 34-44.

I.   <u>Rejection of Claims 21, 24, 25, 28, 30-32, 34-36, 38, 39, and 42 Under 35 U.S.C. §102(b)</u>

Claims 21, 24, 25, 28, 30-32, 34-36, 38, 39, and 42 have been rejected under 35 U.S.C. §102(b) as being anticipated by Iki (US 6,008,802). Because the cited prior art does not disclose all of the limitations of claims 21, 24, 25, 28, 30-32, 34-36, 38, 39, and 42, Applicants assert that the claims are patentable over the cited prior art.

Claim 21 is not anticipated by Iki because Iki does not disclose that "event data is received when an event occurs within a program not currently being viewed via a network from a server located remote from said customer premise equipment." Instead, Iki discloses identifying a predetermined function when "event data" matches user-defined target data, yet the "event data" is not "received **when an event occurs** within a program not currently being viewed." Instead, the "event data" is received for a future program, which is not occurring when the "event data" is received. Iki describes the "event data" as follows:

> [If] "Princess Diana" appeared in the closed caption text of a news program promotion, control logic 210 could access programming guide 215 to discover that the text appeared during a scheduled promotion for a particular news program and identify the time and channel for the actual show. Then control logic 210 could identify a predetermined function to take. For example, control logic 210 could configure system 100 to record the future news program. It could also provide an indicator to alert the user of the new program by, for instance, displaying an icon on television/monitor 102 or providing an audio tone over speaker system 116 (Iki, col. 6, lines 36-47).

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If the "event data" in the above example are the words "Princess Diana" appearing within the closed caption text of a news program promotion and the "event" is the future news program, as argued by the Examiner, the "event data" is not "received when an event **occurs** within a program not currently being viewed" because the future news program is not occurring. Instead, the "event data" would be occurring in the new program promotion. Because the cited prior art does not disclose that "event data is received when an event occurs within a program not currently being viewed via a network from a server located remote from said customer premise equipment," the reference does not anticipate claim 21. Claims 24, 25, 28, 30-32, 34-36, 38, 39, and 42 are distinguishable over the cited prior art for the same reasons as claim 21. Applicants respectfully request reconsideration of these claims.

Additionally, Iki does not disclose the step of "comparing said event data to an alert parameter when said event occurs," as recited in claim 31. Instead, the step of "comparing" in Iki occurs during the news program promotion. If the "event" is the future new program, as argued by the Examiner, the step of "comparing" does not happen "when said event occurs." The "comparing" happens prior to the "event." Because the cited prior art does not disclose the step of "comparing said event data to an alert parameter when said event occurs," the reference does not anticipate claim 31. Claims 32, 34-36, 38, 39, and 42 are distinguishable over the cited prior art for the same reasons as claim 31. Applicants respectfully request reconsideration of these claims.

II.   Rejection of Claims 22, 23, 26, 27, and 37 Under 35 U.S.C. §103(a)

Claims 22, 23, 26, 27, and 37 have been rejected under 35 U.S.C. §103(a) as being obvious over Iki in view of Omoigui (US 2005/0086688). Because the cited prior art, alone or in combination, does not teach or suggest all of the limitations of the rejected claims, Applicants assert that the claims are in condition for allowance.

Iki, as discussed above, does not disclose that "event data is received when an event occurs within a program not currently being viewed via a network from a server located remote from said customer premise equipment," as recited in claim 21. Claims 29, 43, and 44 all

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contain a similar feature. Additionally, Omoigui does not teach or suggest this feature. Instead, Omoigui discloses a system that allows a user to register viewing preferences with a server, yet no "event data" as described in claim 21 is disclosed. Therefore, the combination of Iki and Omoigui does not teach or suggest all of the limitations of claims 22, 23, 26, 27, and 37. Applicants respectfully request reconsideration of these claims.

III.   Rejection of Claims 29, 43, and 44 Under 35 U.S.C. §103(a)

Claims 29, 43, and 44 have been rejected under 35 U.S.C. §103(a) as being obvious over Iki in view of Kim (US 6,618,057). Because the cited prior art, alone or in combination, does not teach or suggest all of the limitations of the rejected claims, Applicants assert that the claims are in condition for allowance.

Iki, as discussed above, does not disclose that "event data is received when an event occurs within a program not currently being viewed via a network from a server located remote from said customer premise equipment," as recited in claim 21. Claims 29, 43, and 44 all contain a similar feature. Additionally, Kim does not teach or suggest this feature. Instead, Kim discloses a graphic interface device for use with digital television in order to view a program guide, yet no "event data" as described in claim 21 is disclosed. Therefore, the combination of Iki and Kim does not disclose, teach, or suggest all of the limitations of claims 29, 43, and 44. Applicants respectfully request reconsideration of these claims.

IV.   Rejection of Claims 40 and 41 Under 35 U.S.C. §103(a)

Claims 40 and 41 have been rejected under 35 U.S.C. §103(a) as being obvious over Iki in view of Lefeber (US 2002/0046299). Because the cited prior art, alone or in combination, does not teach or suggest all of the limitations of the rejected claims, Applicants assert that the claims are in condition for allowance.

Iki, as discussed above, does not disclose that "event data is received when an event occurs within a program not currently being viewed via a network from a server located remote

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from said customer premise equipment," as recited in claim 21. Claims 40 and 41 each contain a similar feature. Additionally, Lefeber does not teach or suggest this feature. Instead, Lefeber discloses providing time-sensitive notification alert signals from a computerized network to a network user based on alerts stored on a server database containing information for each user of the network, yet no "event data" as described in claim 21 is disclosed. Therefore, the combination of Iki and Lefeber does not disclose, teach, or suggest all of the limitations of claims 40 and 41. Applicants respectfully request reconsideration of these claims.

Applicant asserts that claims 21-32 and 34-44 are in condition for allowance. Based on the above amendments and these remarks, reconsideration of claims 21-32 and 34-44 is respectfully requested.

The Examiner's prompt attention to this matter is greatly appreciated. Should further questions remain, the Examiner is invited to contact the undersigned practitioner by telephone.

The Commissioner is authorized to charge any underpayment or credit any overpayment to Deposit Account No. 501826 for any matter in connection with this response, including any fee for extension of time, which may be required.

Respectfully submitted,

Date: _____July 12, 2007_____   By:_____/Michelle Esteban/_____
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